

DOG ACT 1976
LOCAL GOVERNMENT ACT 1995

SHIRE OF GINGIN

DOGS AMENDMENT LOCAL LAW 2016

Under the powers conferred on it by the *Dog Act 1976*, the *Local Government Act 1995* and all other relevant powers enabling it, the Council of the Shire of Gingin resolved on 20 September 2016 to make this local law.

1. Title

This local law may be cited as the *Shire of Gingin Dogs Amendment Local Law 2016*.

2. Commencement

This local law commences on the 14th day after the day on which it is published in the *Government Gazette*.

3. Principal local law

In this local law, the *Shire of Gingin Dogs Local Law 2004* published in the *Government Gazette* on 13 September 2004 is referred to as the principal local law. The principal local law is amended as follows—

4. Enabling legislation amended

Above the title of the local law at the top of the page, insert “*Local Government Act 1995*” immediately below “*Dog Act 1976*”.

5. Clause 1.3 amended

Clause 1.3 is amended as follows—

- (a) In the definition for “**authorized person**”, delete “authorized” and substitute “authorised” wherever it appears in the definition and throughout the local law;
- (b) Insert new definitions in alphabetical order as follows—
 - “**district**” means the district of the local government;
 - “**General Rural**” means any area zoned as General Rural under the local government’s Local Planning Scheme;
 - “**local planning scheme**” means a local planning scheme of the local government made under the *Planning and Development Act 2005*;
 - “**townsite**” means the townsites of Gingin, Guilderton, Lancelin, Ledge Point and Seabird which are—
 - (a) constituted under section 26(2) of the *Land Administration Act 1997*; or
 - (b) referred to in clause 37 of Schedule 9.3 of the *Local Government Act 1995*; and
 - (c) Delete the definition for “**town planning scheme**”.

6. Clause 3.2 amended

Clause 3.2 is amended as follows—

- (a) In subclause (2)(a), after “townsite” insert “or any other area that is not zoned General Rural under the local planning scheme”; and
- (b) In subclause (2)(b) delete “situated outside a townsite” and substitute “zoned General Rural under the local planning scheme”.

7. Clause 4.1 amended

Clause 4.1 is amended by deleting “Schedule 2” and substituting “Schedule 1”.

8. Clause 4.2 amended

Clause 4.2 is amended as follows—

- (a) Delete “of that in Schedule 1” and substitute “as determined by the local government from time to time”;

- (b) Insert a new subclause 4.2(a) as follows—
 - (a) a copy of a determination on application for planning approval granting approval for an animal establishment (if required by the local government); and
- (c) Renumber the existing subclauses accordingly.

9. Clause 4.4 amended

Clause 4.4 is amended as follows—

- (a) delete “town” and substitute “local”;
- (b) delete “4.2(b)” and substitute “4.2(c)”; and
- (c) delete “4.5(a)” and substitute “4.5(b)”.

10. Clause 4.7 amended

Clause 4.7 is amended as follows—

- (a) In subclause (a)—
 - (i) delete “town” and substitute “local”; and
 - (ii) delete “or”.
- (b) In subclause (b) delete the full stop and substitute “; or”; and
- (c) Insert a new subclause (c) as follows—
 - (c) it does not comply with the conditions required on the application form.

11. Clause 4.8 amended

Clause 4.8 is amended as follows—

- (a) In subclause (1), delete “Schedule 2” and substitute “Schedule 1”; and
- (b) In subclause (2), delete “Schedule 2” and substitute “Schedule 1”.

12. Part 5 deleted

Delete Part 5 in its entirety and renumber the remaining Parts accordingly.

13. Clause 7.2 amended

Clause 7.2 is amended as follows—

- (a) In subclause (1) delete “Schedule 2” and substitute “Schedule 1”;
- (b) In subclause (2) delete “Schedule 2” and substitute “Schedule 1”; and
- (c) In subclause (3) delete “Schedule 2” and substitute “Schedule 1”.

14. Schedule 1 deleted

Delete Schedule 1 and renumber the remaining Schedules accordingly.

15. Schedule 3 amended

Schedule 3 is amended as follows—

- (a) delete “(Clause 7.2)” and substitute “(Clause 6.2)”;
- (b) delete in its entirety the offence against Clause 5.1(2); and
- (c) delete the offence reference “6.1(2)” and substitute “5.1(2)”.

Dated this 15th day of November 2016.

The Common Seal of the Shire of Gingin was affixed by authority of a resolution of the Council in the presence of—

D. W. ROE, Shire President.
J. EDWARDS, Chief Executive Officer.
